

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Cont. Application of:)
)
 Jessica BARZILAI et al.) Group Art Unit: Unassigned
)
 Application No.: Unassigned) Examiner: Unassigned
 (Prior Appln.: 09/606,006))
)
 Filed: February 25, 2004)
)
 For: APPARATUS AND METHOD FOR)
 TRANSPORTING SAMPLE WELL)
 TRAYS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being concurrently filed with the filing of the above-referenced application. Copies of the listed documents were either previously submitted by Applicants or cited by the Examiner in a parent application (i.e., Application No. 09/606,006), upon which Applicants rely for the benefits provided under 35 U.S.C. § 120. Accordingly, it is not required that copies of those cited documents be provided. 37 C.F.R. § 1.98(d).

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.


If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 25, 2004

By:


Troy E. Grabow
Reg. No. 43,440

INFORMATION DISCLOSURE CITATION

Atty. Docket No.	07414.0009-01	Appln. No.	Unassigned (Prior Appln. No.: 09/606,006)
Applicant	Jessica BARZILAI et al.		
Filing Date	February 25, 2004	Group:	Unassigned (Prior Group: 1743)

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	3,080,759	03/63	McQuaid			
	3,933,165	01/76	Budzak et al.			
	4,948,564	08/90	Root et al.			
	5,210,015	05/93	Gelfand et al.			
	5,538,848	07/96	Livak et al.			
	5,780,717	07/98	Wise et al.			
	5,928,907	07/99	Woudenberg et al.			
	6,015,674	01/2000	Woudenberg et al.			
	6,159,368	12/2000	Moring et al.			
	6,272,939 B1	08/01	Frye et al.			

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
WO 91/17239	11/91	PCT			
WO 97/36681	10/97	PCT			
EP 0 895 240 A1	02/99	Europe			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	U. Landegren et al., "A Ligase-Mediated Gene Detection Technique," <i>Science</i> , 241:1077-80 (Aug. 1988)
	D. Nickerson et al., "Automated DNA diagnostics using an ELISA-based oligonucleotide ligation assay," <i>Proc. Natl. Acad. Sci USA</i> , 87:8923-27 (Nov. 1990)
	P. Grossman et al., "High-density multiplex detection of nucleic acid sequences: oligonucleotide ligation assay and sequence-coded separation," <i>Nucl. Acids Res.</i> , 22:4527-34 (1984)
Examiner	/Samuel Siefke/
Date Considered	06/30/2008
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO 1449

Patent and Trademark Office - U.S. Department of Commerce

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	DE 197 39 119 A1	03/99	Germany			
	EP 0 955 097 A1	11/99	Europe			
	EP 1 088 590 A1	04/01	Europe			
	WO 01/28684 A2	04/01	PCT			
	WO 200196880 A1	12/01	PCT			
	GB 2 343 873	05/00	Great Britain			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Co-pending Application No. 09/496,408 Inventors: Hon Shin et al. Filed: February 2, 2000 Title: Apparatus and method for ejecting sample well trays Attorney Docket No. 7414.0018-00	
	Co-pending Application No. 09/848,270 Inventors: Frye et al. Filed: May 4, 2001 Title: System and method for filling a substrate with a liquid sample Attorney Docket No. 7414.0011-01	
Examiner	/Samuel Stiefke/	Date Considered 06/30/2008
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
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U.S. PATENT DOCUMENTS						
Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	4,407,570	10/83	Hayasaka			
	4,981,801	01/91	Suzuki et al.			
	5,149,654	09/92	Gross et al.			
	5,233,844	08/93	Knippscheer et al.			
	5,955,373	09/99	Hutchins et al.			
	6,054,263	04/00	Danssaert et al.			
	6,099,230	08/00	Hitch			
	6,343,906	02/02	Kraemer et al.			
	6,448,066	09/02	Wheatcroft et al.			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
	Co-pending Application No. 09/897,500 Inventors: Bordenkircher et al. Filed: July 3, 2001 Title: PCR sample handling device Attorney Docket No. 7414.0013-00
	Co-pending Application No. 09/977,225 Inventors: Freudenthal et al. Filed: October 16, 2001 Title: System for filling substrate chambers with liquid Attorney Docket No. 7414.0034-00
Examiner	/Samuel Siefke/
Date Considered	05/30/2008
*Examiner:	Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
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